

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION**

STATE OF IOWA, STATE OF NORTH
DAKOTA, *et al.*,

Plaintiffs,

V.

No. 1:24-cv-89-DMT-CRH

COUNCIL ON ENVIRONMENTAL
QUALITY and BRENDA MALLORY, in her
official capacity as Chair of the Council on
Environmental Quality,

Defendants,

and

ALASKA COMMUNITY ACTION ON
TOXICS, *et al.*,

Defendant-Intervenors.

JOINT REQUEST FOR SCHEDULING OF ORAL ARGUMENT

Pursuant to Local Civil Rule 7.1(E), and consistent with the Parties' earlier representations in this matter, *see* ECF No. 55 n.2 (noting the Parties' agreement that "oral argument in this matter would be helpful"), the Plaintiffs, Defendants, and Defendant-Intervenor Alaksa Community Action on Toxics, *et al.* (collectively "the Parties") respectfully request that the Court schedule oral argument in this matter. *See also* ECF No. 56 (deferring the scheduling of argument). The Parties have conferred on their joint availability, and request that, at the

Court's convenience, argument be set for either November 20 or 21, 2024.¹ While the Parties defer to the Court on the appropriate length and timing of the argument, they suggest that at least an hour of argument per side would likely be sufficient and helpful to the Court.

Finally, and pursuant to the scheduling order in this matter, ECF No. 56, the Parties anticipate filing the administrative record appendix shortly, and in any event by no later than October 30, 2024.

Defendant Intervenor States consent to scheduling argument in November, but request that if the Court cannot schedule argument on November 20 or 21, the Parties be given the opportunity to further confer on appropriate dates in December.

Respectfully submitted this 18th day of October, 2024,

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Assistant Attorney General
United States Department of Justice
Environment & Natural Resources Division

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¹ In the event the Court is not available on either of those dates, the Parties propose a date be selected between December 10-13, at the Court's convenience.

/s/ Eric Wessan

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